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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,939	09/09/2003	Hamid Ould-Brahim	42871-0004	1612

23577 7590 02/20/2008

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EXAMINER	
HOANG, HIEU T	

ART UNIT	PAPER NUMBER
2152	

MAIL DATE	DELIVERY MODE
02/20/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

The applicant argues that the PEs in the prior art does not implement a L3VPN service, because a L3 VPN requires both control and data plane. This contradicts to the applicant's specification. Refer to the specification [0051]-[0053], it clearly recites that a L3 VPN in the invention requires route distribution through a backbone BGP, and that IP traffic (Layer 3 data service) is optional. In other words, given that the invention solely concentrates on control plane aspect of a L3 VPN for route distribution and data plane aspect is optional, the fact that PEs of the prior art distributes routes using L3 BGP is enough to read the prior art PEs' VPN is Layer 3 (Ould-Brahim, fig. 2, p.6 par. 5 and 6, BGP route distribution from a PE ONE to other PE ONEs in a VPN). This BGP reachability distribution among backbone PEs is totally analogous to how the applicant describes a Layer-3 VPN (see specification, page 8, [0051], [0052], L3 VPN key objective is to construct a reachability distribution using VPN though the backbone BGP).

HH

02/14/2008